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FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

PROVISIONAL SUMMARY RECORD OF THE 12th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 August 1990, at 3 p.m.

President: Mr. DE RIVERO (Peru)

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The meeting was called to order at 3.40 p.m.

GENERAL DEBATE (agenda item 12) (continued)

Mr. KAYSER (Luxembourg) said that, for future generations to live in peace, it was essential to ensure strict application of the NPT, a treaty that was of vital importance to the whole world, since it was aimed at directing into beneficial channels the extraordinary power of nuclear energy and at preserving international peace, security and stability. It divided States Parties into two categories: those which possessed nuclear weapons and those which did not, each category having its own important obligations to discharge.

Luxembourg was a small non-nuclear-weapon country but was very attached to the observance of its obligations regarding non-proliferation and it had adhered to the international control régimes on the export of nuclear materials; it applied the directives of the London Club and was a member of the Zangger Committee on the export of nuclear materials and equipment. It also abided by the international control régime on the export of missiles and had ratified the Convention on the physical protection of nuclear material. His country fully complied with the safeguards régime set up in implementation of article III of the NPT, in conformity with an agreement entered into in 1974. It had enacted domestic legislation enabling it to comply with its non-proliferation obligations relating to the transfer of nuclear materials, equipment and technology and the conditions for their physical protection.

It was disturbing that some States continued to remain outside the non-proliferation régime and that some States situated in sensitive regions might be tempted to acquire nuclear weapons. His delegation invited countries which were not yet parties to the Treaty to accede to it and also called on all States Parties which had not yet concluded safeguard agreements with the IAEA to do so.

Admittedly, progress had been achieved on disarmament in the bilateral negotiations between the United States and the Soviet Union, but none had been made in multilateral disarmament negotiations. However, the existence of three nuclear-weapon-free zones, in Latin America, in the South Pacific and in Antarctica, was a matter for satisfaction.

Luxembourg was more and more persuaded that nuclear weapon tests did not enhance world security. In fact, those tests could lead to the development of new nuclear weapons and could favour both vertical and horizontal proliferation. A comprehensive test ban treaty, allied to an effective

control régime, could make a significant contribution to the objectives of non-proliferation and act as an important step towards nuclear disarmament. His country hoped that multilateral negotiations in that direction would be initiated without delay. Lastly, he wished to stress that the main objective of the present Conference should be to demonstrate to the world the important role of the NPT in preventing the spread of nuclear weapons and, at the same time, fostering disarmament.

Mr. MARKIDES (Cyprus) expressed his delegation's wishes for the successful completion of the Conference for the benefit not only of the Contracting Parties to the NPT but of the world at large. The twenty-second anniversary of the opening of the NPT for signature and the fact that 45 years had elapsed since the bombing of Hiroshima and Nagasaki were a reminder for the whole world of the horror and destruction of nuclear war. At a time when the improvement in East-West relations created a climate that favoured confidence, co-operation and democracy, the present Conference should provide an opportunity for all States to review the operation of the NPT frankly and objectively and to try and identify its successes and weaknesses in order to achieve broader acceptance of it. Recent political developments underlined the importance of strict and faithful implementation of the NPT and strengthened the belief that international peace and security would be achieved basically by political means through international co-operation and peaceful negotiations based on the principles of international law, the Charter of the United Nations and the observance of human rights.

As already pointed out during the debate, the NPT was important mainly as an arms control agreement. As such, it was indeed a historical achievement. From a realistic standpoint, however, the Treaty would be regarded as a contract or as a bargain between nuclear-weapon States and non-nuclear-weapon States. The former had promised to end their vertical proliferation in exchange for a binding commitment by the latter States to end horizontal proliferation. Actually, the question whether the NPT had indeed effectively contributed to horizontal non-proliferation was a matter of appraisal, since there was no truly reliable denial of the emergence of new nuclear-weapon States. Nevertheless, his delegation had the impression that matters would have been very different if it had not been for the NPT. By its very existence, the NPT appeared to have overcome the fulfilment of prophecies in the past to the effect that the number of nuclear-weapon States would have increased to 20 or 25 by now. On the other hand, with regard to vertical

proliferation, the nuclear-weapon States had been constantly enriching their arsenals qualitatively and quantitatively. At the same time, more sophisticated and much more accurate systems of delivery heralded greater destructive capacity.

In addition to its non-proliferation provisions, the NPT embodied an obligation on the part of the States Parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and on a treaty on general and complete disarmament under strict and effective international control. Full compliance with those provisions remained to be proved.

Despite the conclusion of a number of arms control treaties, including some important bilateral treaties between the United States and the Soviet Union, there had, unfortunately, been no significant and substantial progress towards the aims set out in article VI of the NPT. In that connection, he joined with other speakers who had welcomed the agreement between the United States and the Soviet Union for the elimination of intermediate and shorter-range missiles in Europe - the INF Treaty. That agreement was a first small, but positive, step towards achieving some of the objectives of the NPT. It was to be hoped that the recent favourable developments in international relations would make it possible for an agreement to be reached preventing an arms race in space and ending it on Earth. Such an agreement was essential not only as a necessary balancing element for the self-restraint shown by the non-nuclear-weapon States Parties under article II of the NPT but also as an encouragement to other States, whether nuclear-weapon States or non-nuclear-weapon States, to join the non-proliferation régime established by the Treaty.

Promotion of the use of nuclear energy for peaceful purposes, another important element of the NPT, would greatly contribute to the wellbeing of humanity. Important practical benefits from the use of nuclear energy had already been obtained in many fields, including power, medicine, industry and agriculture. Safeguards were, of course, necessary to prevent the diversion of nuclear energy into non-peaceful uses. It was also essential to bear in mind the devastating effects that accidents in nuclear installations could have on the environment for generations to come. The international system of safeguards was therefore of the utmost importance and was inseparably tied in with the NPT provisions on the use of nuclear energy for peaceful purposes. In that connection, he wished to praise the work being done by the IAEA in

administering the safeguards system in such a responsible and efficient manner. Any progress in improving the safeguards system would be a substantial contribution towards realization of the goals of the NPT.

As recognized in the preamble to the NPT, the conclusion of a comprehensive test ban treaty was essential in order to achieve nuclear disarmament. Negotiations in that direction should be resumed as soon as possible and such a treaty could perhaps be completed within a few years. The process could be hastened by a linkage between the comprehensive test ban and the NPT. The declaration adopted in September 1989 by the Non-Aligned Summit Conference stated, inter alia, that a comprehensive nuclear test-ban treaty was absolutely essential for the preservation of the non-proliferation régime embodied in the NPT. His delegation was in full agreement with the proposals put forward by other non-aligned countries with a view to preserving and strengthening the NPT. Those proposals included: (1) the declaration of a moratorium on all nuclear tests explosions till 1995; (2) a moratorium on the production of fissionable material; (3) the promotion of full-scope negotiations on a comprehensive test ban in the Ad hoc Committee established by the Conference on Disarmament; (4) a readiness to accept multilaterally binding legal instruments to guarantee all non-nuclear-weapon States against the use or threat of use of nuclear weapons; (5) support and recognition for existing nuclear-weapon-free zones and for those to be established in the future; (6) improved IAEA assistance to developing countries through financing institutions to promote the peaceful uses of nuclear energy.

When the world's nuclear weapons arsenal was more than enough to destroy mankind, billions were being spent by the nuclear-weapon States on the development of destructive weapons. It was high time for those States to divert those huge sums to purposes beneficial to humanity, a great part of which was living under conditions of absolute deprivation.

Mr. COSTA LOBO (Portugal) extended a warm welcome to the observer delegations of France and China, which were participating in a Review Conference of the NPT for the first time.

The East-West process of détente and positive developments in some regional conflicts in the past few years had justified expectations that the present Conference would take place in a favourable international atmosphere.

That atmosphere, however, had been radically altered by the crisis provoked in the Gulf by the annexation of Kuwait, which had been clearly condemned in all international forums.

In view of its aims, its membership, and the effects produced since it had entered into force, the NPT could be considered as a cornerstone of international security. Only two months previously, in Dublin, the leaders of the member countries of the European Community had expressed their concern about nuclear weapons proliferation and had solemnly urged those States which were not yet parties to accede to the NPT. His delegation wished now to echo that appeal. Accession by all countries, especially those with a known nuclear weapons capability, was essential to the credibility of the NPT. Equally indispensable for sound application and effectiveness of the NPT was strict compliance with its terms. It was regrettable that a number of States Parties continued to oppose proper implementation of the IAEA safeguard mechanisms, whose role was of paramount importance in the implementation of the Treaty.

Another major problem lay in the non-compliance with article I, which prohibited the transfer to non-nuclear-weapon States of nuclear explosive devices and assistance and encouragement given in any way to such States in order to enable them to manufacture or acquire nuclear weapons. There had been examples of neglect which had ended in the clandestine transfer to such States of technology and/or fissile material falling under the provisions of article I of the NPT. His delegation did not, of course, deny the inalienable right of every country to develop the use of nuclear energy for peaceful purposes and it was well aware of the pressing needs of developing countries wishing to benefit from the use of nuclear energy for peaceful purposes. Nevertheless, strict respect by the States Parties for the safeguards system was naturally interlinked with proper implementation of transfers of know-how and materials.

Since the Third Review Conference, there had been many welcome and sometimes unexpected political and military events of great significance for world security and peace. In that connection, great credit must go to the United States and the Soviet Union for their successful efforts in reducing the risks of nuclear confrontation - the INF Treaty and the verification protocols of the Test Ban Treaty and the Peaceful Nuclear Explosions Treaty, as well as the promising prospect of the signing of a strategic arms reduction treaty. Those developments had paved the way for important multilateral and

bilateral moves aimed at further reducing both conventional and nuclear arsenals not only in Europe but also in other parts of the world. Moreover, the proposals made by the NATO countries for creating a joint NATO/Warsaw Pact declaration open to all countries members of the Conference on Security and Co-operation in Europe (CSCE) had contributed to a more relaxed political atmosphere in Europe.

Under the terms of article X, the Conference had to decide in 1995 on the question of extending the NPT. Portugal was unequivocally in favour of extending it indefinitely beyond 1995. Lastly, it was his hope that the Conference would produce a final document reflecting in a realistic and balanced manner the dramatic progress made during the past few years, especially in the field of nuclear disarmament. Such were the sincerest wishes of his country, which was proud of scrupulously complying with its obligations under the Treaty.

Mr. HADDAD (Syrian Arab Republic) said that the importance of the Review Conference lay in the variety of issues under consideration in assessing progress achieved in the field of non-proliferation and indeed in the fundamental goal of the Treaty - to remove the threat of nuclear warfare for the whole human race. Again, the Conference was all the more important in that it was taking place at a time of détente among the major nuclear Powers and the strengthening of international relations. Great changes had taken place in the international order, thereby vesting détente with strategic depth and furthering it without it being reported to the purely political and tactical contingencies.

Despite the fact that the Non-Proliferation Treaty had not lived up to all aspirations, it had nevertheless succeeded in securing some progress. Non-nuclear-weapon States Parties were not moving towards the acquisition of nuclear weapons and all acted in full conformity with article II of the Treaty. However, the Treaty had weaknesses as well as strengths. It had not managed to broaden the scope of prohibition to prevent more States from having access to nuclear weapons, and it had not prevailed upon non-party States to accede to the Treaty. It was also regrettable that nuclear-weapon States Parties had not given preference in their co-operation activities to developing countries that were States Parties. The discriminatory structure of the Treaty remained, with some obligations being incumbent on certain States but not on others. At the same time, constraints imposed on the transfer of technology were a serious threat to the advancement of the

developing countries. Furthermore, the safeguards system had not been entirely respected, for the IAEA had not been in a position to apply the system fully in all cases; to be meaningful any safeguards system must be total.

The Non-Proliferation Treaty should be made less discriminatory and it should be aimed at ensuring accession by all States in order to achieve universality and to guarantee that there would be no recourse to nuclear weapons against a non-nuclear-weapon State. In addition, it was to be hoped that the present situation of détente would lead towards an international commitment to put an end to the production of nuclear weapons and to destroy existing nuclear arsenals and indeed all weapons of mass destruction, chemical and biological.

A special situation prevailed in the Middle East, which was currently undergoing a temporary crisis which his delegation hoped would be settled through Arab wisdom. For some decades, the region had experienced ongoing tension caused by the State of Israel in its desire for hegemony. Israel had acquired nuclear weapons thanks to the assistance of a few nuclear-weapon States, contrary to the provisions of the Non-Proliferation Treaty. In that context, he appealed to the international community, the United Nations and the IAEA to work with the States of the Middle East to create a nuclear-free zone in the area. He urged the international organizations to apply the relevant resolutions in that respect and hoped that Israel would accede to the Non-Proliferation Treaty and apply full-scope safeguards.

Mr. HAN (Democratic People's Republic of Korea) referred to the remarks made by some representatives, including the delegation of the United Kingdom, a depositary State party, and the delegation of Australia in the course of general debate on the issue of the safeguards agreement currently under negotiation between the IAEA and the Democratic People's Republic of Korea. He also mentioned the statement made by the head of his delegation, in which he had pointed to the prevailing situation peculiar to the Korean peninsula, which directly affected his country's national security, and had made clear that his Government intended as a matter of principle to conclude a safeguards agreement. It was highly regrettable that some speakers had failed to note in their remarks the grave nuclear threat posed by a Depositary State Party to the Democratic People's Republic of Korea, a small non-nuclear-weapon State.

Obviously, the Non-Proliferation Treaty had been elaborated as a result of the need to remove the nuclear threat and to achieve nuclear disarmament. Hence, the fundamental objectives of the Treaty had made the issue of security assurances one of the most important items on the agenda of the present Conference. Intentional failure in regard to one of those two aspects was, clearly, not a pragmatic approach and it would not help the strengthening and extension of the Treaty. He called upon States Parties to render valuable assistance in favour of the early conclusion of an agreement on security assurances between the nuclear threatener and the threatened, with a view to facilitating the conclusion of the safeguards agreement.

Lastly, he referred to the statement made in the general debate by the representative of Australia, in which the latter attempted to tell the delegation of the Democratic People's Republic of Korea what to do with its Government. He would remind the delegation of Australia that the Governments of States Parties were fully represented at the Conference. He wished to express his deep regret that such a flippant and imprudent statement against a sovereign State had been made by a foreign minister, a responsible statesman of a country, and drew attention to the possible consequences of such an act, which might affect the very authority of important conferences like the present Review Conference.

The CHAIRMAN, announcing the conclusion of the general debate, observed that 62 speakers had been heard in a positive atmosphere, free of recrimination or substantive departure from the main objectives of the Conference. Many delegations had referred to some significant progress in the implementation of the Treaty, including disarmament and arms limitation measures, the continuation of negotiations on the reduction of strategic short-range nuclear weapons as well as conventional weapons, and the fact that during the period under review the number of declared nuclear-weapon States had not increased. At the same time, it had been indicated that some matters, such as nuclear testing and negative security assurances required special attention.

Lastly, the general debate had been balanced and productive and the Conference could go on to the next stage of its work, during which the Committees must concentrate on specific review exercises. Generally speaking, it might be said that delegations to the Conference had shown a readiness to work towards a balanced and positive final document.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE (agenda item 11) (continued)

The CHAIRMAN, referring to rule 12 of the rules of procedure, said he would take it that the Conference agreed to the schedule for participation in the costs of the Conference, which would be revised in the light of the real participation and of the costs incurred in the Conference and in the preparatory process.

It was so decided.

The CHAIRMAN said that, as a result of his appeal, the financial problem of the Conference was practically resolved, as a number of pledges had been announced and the Secretary-General of the United Nations was, on that basis, authorizing the continuation of basic services until the Conference completed its work, on 14 September 1990.

The meeting rose at 4.40 p.m.